

STATE OF COLORADO  
Department of State

1700 Broadway, Suite 270  
Denver, CO 80290



**RECEIVED**

NOV 21 2008

ELECTIONS

SECRETARY OF STATE

Mike Coffman  
Secretary of State  
J. Wayne Munster  
Acting Director,  
Elections

*Attn: Stephanie O'Malley*  
*County Clerk and Recorder*

2008 Post Election Audit

COUNTY:

DENVER

Instructions:

Pursuant to Section 1-7-514 C.R.S. and Election Rule 11, the attached documents provide guidance to completing the post election audit. Additional help is available on our web site, or you can contact Stephanie Cegielski at (303) 894-2200 ext. 6327 for additional information. The following information is to be used to resolve "special case" issues that arise from the selection of machines and races by the Secretary of State's office:

If a device was "AVAILABLE FOR USE" but DID NOT HAVE VOTES CAST (i.e. accessible machines for mail ballot counties) on it for this election, please indicate on the form the status as "NO VOTES" in the field for "machine count" and "hand count." This still requires canvass board member signatures for verification.

If a device was "NOT USED" (i.e. backup equipment) but was selected for the audit, please contact the Secretary of State's Office for selection of an alternative device.

If any NON CENTRAL COUNT device (scanner or DRE) has votes on it, but the "RACES SELECTED" for audit do not appear on the device; For Mail Ballot counties, the canvass board may randomly select an alternative race to count. For Polling Place and Vote Center counties, you must contact the Secretary of State's Office for selection of alternative races.

If a CENTRAL COUNT device has votes on it, but the races selected for audit do not appear in the BALLOTS CHOSEN by the canvass board, the canvass board shall continue to randomly select ballots until all races appear and can be audited.

Please complete the highlighted fields in the attached table and fax, or e-mail the form back to the Secretary of State at: [voiting.systems@sos.state.co.us](mailto:voiting.systems@sos.state.co.us). This form must be returned no later than: 5:00pm November 21, 2008.

*For Internal Use Only*

E-mailed by (name): \_\_\_\_\_

Email Date and Time: \_\_\_\_\_

Email Address: [stephanie.omalley@cd.denver.co.us](mailto:stephanie.omalley@cd.denver.co.us)

(Attach copy of E-mail)

Faxed by (name): \_\_\_\_\_

Faxed Date and Time: \_\_\_\_\_

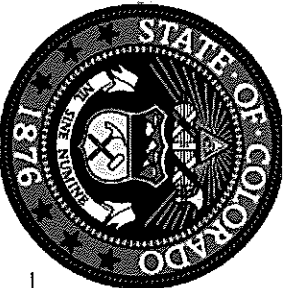
Fax Number: 720-913-8600

(Attach copy of fax confirmation)

Phone Number: 720-865-8400

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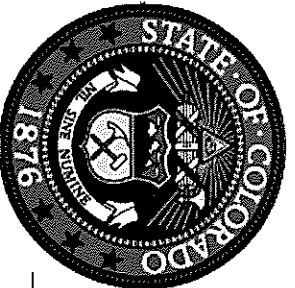
**County Clerk and Recorder**

The following table lists the EQUIPMENT that has been randomly selected for auditing:

Make/Model	Type	Use:	Serial #	Race Name to Audit:	Machine Count:	Manual/Hand Count:	Canvass Board Initials
Edge	DRE	Election Day	47252	State Representative District 2	Ferrandino: <i>Not on file</i>		<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	State Representative District 6	Court: 17	17	<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	Justice of the Colorado Supreme Court - Eid	No: <del>17</del> 41	<del>17</del> 41	<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	Court of Appeals - Hawthorne	Yes: 107	107	<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	Court of Appeals - Furman	No: 41	42	<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	Court of Appeals - Furman	Yes: 110	108	<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	Court of Appeals - Bernard	No: 42	42	<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	Court of Appeals - Bernard	Yes: 111	109	<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	State Representative District 9	Landauer: 6	4	<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	Justice of the Colorado Supreme Court - Hobbs Jr	Yes: 117	117	<i>WJ</i> <i>h</i>
Edge	DRE	Election Day	47329	State Representative District 1	Thomason: 0	0	<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	Justice of the Colorado Supreme Court - Eid	Yes: <del>123</del>	<del>116</del>	<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	District E Regional Transportation District Director	McMullen: 5	5	<i>WJ</i> <i>h</i>
Optech 400C	OS	Central Count	200205	District D Regional Transportation District Director	Brohl: 9	10	<i>WJ</i> <i>h</i>

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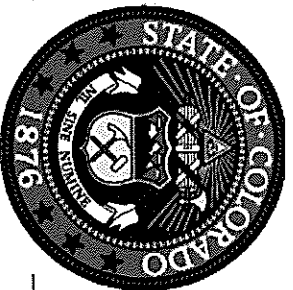
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Make/Model	Type	Use:	Serial #	Race Name to Audit:	Machine Count:	Manual/Hand Count:	Canvass Board Initials
Optech 400C	OS	Central Count	200205	State Representative District 5	Swiontek: 1	1	(Signature) dz
Edge	DRE	Election Day	47039	Presidential Electors	Keyes: 0	0	(Signature) dz
Optech 400C	OS	Central Count	200205	State Representative District 9	Miklosi: 9	9	(Signature) dz
Optech 400C	OS	Central Count	200205	State Representative District 8	McCann: 82	81	(Signature) dz
Optech 400C	OS	Central Count	200205	State Representative District 7	Carroll: 21	20	(Signature) dz
Optech 400C	OS	Central Count	200205	State Representative District 7	Raines: 1	1	(Signature) dz
Optech 400C	OS	Central Count	200205	District Attorney 2nd Judicial District	Morrissey: 152	150	(Signature) dz
Optech 400C	OS	Central Count	200205	State Representative District 6	Sharf: 9	9	(Signature) dz
Optech 400C	OS	Central Count	200205	District A Regional Transportation District Director	Maslank: 10	10	(Signature) dz
Optech 400C	OS	Central Count	200205	State Representative District 5	Judd: 2	2	(Signature) dz
Optech 400C	OS	Central Count	200205	State Representative District 4	Nevin: 1	1	(Signature) dz
Optech 400C	OS	Central Count	200205	State Representative District 4	Frangas: 4	5	(Signature) dz
Edge	DRE	Election Day	47231	State Representative District 3	McGibbon: Not on file		(Signature) OK
Edge	DRE	Election Day	47231	State Representative District 3	Linton: Not on file		(Signature) dz

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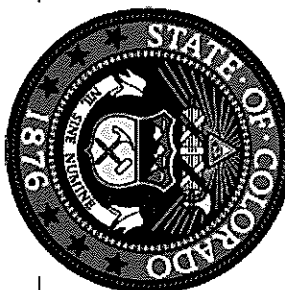
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Make/Model	Type	Use:	Serial #	Race Name to Audit:	Machine Count:	Manual/Hand Count:	Canvass Board Initials
Optech 400C	OS	Central Count	200205	District A Regional Transportation District Director	James 16	15	(JW) JL
Optech 400C	OS	Central Count	200205	District A Regional Transportation District Director	Yribia 6	5	(JW) JL
Optech 400C	OS	Central Count	200205	District A Regional Transportation District Director	Lorenzen 7	7	(JW) JL
Optech 400C	OS	Central Count	200205	Justice of the Colorado Supreme Court - Hobbs Jr	No 35	35	(JW) JL
Edge	DRE	Election Day	47039	Presidential Electors	Harris 0	0	(JW) JL
Edge	DRE	Election Day	47039	Presidential Electors	Obama 2	2	(JW) JL
Edge	DRE	Election Day	47039	Presidential Electors	McCain 0	0	(JW) JL
Edge	DRE	Election Day	47039	Presidential Electors	Baldwin 0	0	(JW) JL
Edge	DRE	Election Day	47039	Presidential Electors	Barr 0	0	(JW) JL
Edge	DRE	Election Day	47039	Presidential Electors	McKinney 0	0	(JW) JL
Edge	DRE	Election Day	47252	State Representative District 2	Miller Not on Style		(JW) JL
Edge	DRE	Election Day	47039	Presidential Electors	Amondson 0	0	(JW) JL
Edge	DRE	Election Day	47236	United States Senator	Write-In 0	0	(JW) JL
Edge	DRE	Election Day	47039	Presidential Electors	La Riva 0	0	(JW) JL

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Make/Model	Type	Use:	Serial #	Race Name to Audit:	Machine Count:	Manual/Hand Count:	Canvass Board Initials
Edge DRE	DRE	Election Day	47039	Presidential Electors	0	0	WV dr
Edge DRE	DRE	Election Day	47039	Presidential Electors	0	0	WV dr
Edge DRE	DRE	Election Day	47039	Presidential Electors	0	0	WV dr
Edge DRE	DRE	Election Day	47039	Presidential Electors	0	0	WV dr
Edge DRE	DRE	Election Day	47039	Presidential Electors	0	0	WV dr
Edge DRE	DRE	Election Day	47039	Presidential Electors	0	0	WV dr
Edge DRE	DRE	Election Day	47039	Presidential Electors	0	0	WV dr
Edge DRE	DRE	Election Day	47014	Representative to the United States Congress - District 1	0	0	WV dr
Optech 400C OS	OS	Central Count	200205	Court of Appeals - Jones	41	41	WV dr
Edge DRE	DRE	Election Day	47217	State Senate District 35	0	0	WV dr
Edge DRE	DRE	Election Day	47217	State Senate District 35	0	0	WV dr
Edge DRE	DRE	Election Day	47250	State Senate District 33	0	0	WV dr
Edge DRE	DRE	Election Day	47043	State Senate District 31	1	1	WV dr
Edge DRE	DRE	Election Day	47043	State Senate District 31	1	1	WV dr
Edge DRE	DRE	Election Day	47039	Presidential Electors	0	0	WV dr

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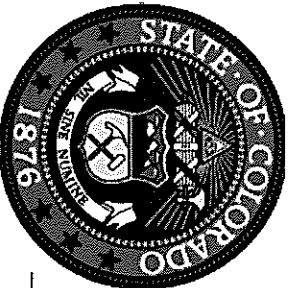
DENVER

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Make/Model	Type	Use:	Serial #	Race Name to Audit:	Machine Count:	Manual/Hand Count:	Canvass Board Initials
Edge DRE	Election Day	47014	Representative to the United States Congress - District 1	Lilly	0	0	MM 12
Edge DRE	Election Day	47236	United States Senator	Campbell	0	0	MM 12
Edge DRE	Election Day	47014	Representative to the United States Congress - District 1	Buchanan	0	0	MM 12
Edge DRE	Election Day	47014	Representative to the United States Congress - District 1	DeGette	1	1	MM 12
Edge DRE	Election Day	47236	United States Senator	Schaffer	0	0	MM 12
Edge DRE	Election Day	47236	United States Senator	Udall	0	0	MM 12
Edge DRE	Election Day	47236	United States Senator	Kinsey	0	0	MM 12
Edge DRE	Election Day	47329	State Representative District 1	Labuda	0	0	MM 12
Edge DRE	Election Day	47308	State Board of Education Congressional District 1	Bernan	0	0	MM 12
Edge DRE	Election Day	47231	Amendment 48	Yes	4	4	MM 12
Edge DRE	Election Day	47014	Amendment 51	No	0	0	MM 12
Edge DRE	Election Day	47014	Amendment 51	Yes	1	1	MM 12
Edge DRE	Election Day	47236	Amendment 50	No	0	0	MM 12
Edge DRE	Election Day	47236	Amendment 50	Yes	0	0	MM 12

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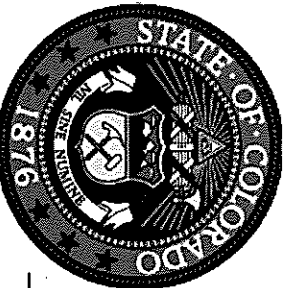
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Make/Model	Type	Use:	Serial #	Race Name to Audit:	Machine Count:	Manual/Hand Count:	Canvass Board Initials
Edge	DRE	Election Day	47039	Amendment 49	No	2	WV h
Edge	DRE	Election Day	47250	County Judge, Denver - Ortiz-White	No	0	WV h
Edge	DRE	Election Day	47231	Amendment 48	No	2	WV h
Edge	DRE	Election Day	47043	Amendment 54	Yes	1	WV h
Edge	DRE	Election Day	47252	Amendment 47	Yes	0	WV h
Edge	DRE	Election Day	47252	Amendment 47	No	2	WV h
Edge	DRE	Election Day	47329	Amendment 46	No	0	WV h
Edge	DRE	Election Day	47329	Amendment 46	Yes	0	WV h
Edge	DRE	Election Day	47217	County Judge, Denver - Rudolph	No	0	WV h
Optech 400C	OS	Central Count	200205	Court of Appeals - Hawthorne	No	43	WV h
Edge	DRE	Election Day	47039	Amendment 49	Yes	0	WV h
Edge	DRE	Election Day	47329	Referendum L	Yes	0	WV h
Optech 400C	OS	Central Count	200205	Denver Public Schools (School District No.1) - Referred Issue 3A	No	29	WV h
Optech 400C	OS	Central Count	200205	Referendum O	No	54	WV h

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Make/Model	Type	Use:	Serial #	Race Name to Audit:	Machine Count:	Manual/Hand Count:	Canvass Board Initials
Optech 400C	OS	Central Count	200205	Referendum O	Yes 43	42	MM DL
Edge	DRE	Election Day	47231	Referendum N	No 1	1	MM DL
Edge	DRE	Election Day	47231	Referendum N	Yes 5	5	MM DL
Edge	DRE	Election Day	47252	Referendum M	No 1	1	MM DL
Edge	DRE	Election Day	47308	Amendment 52	Yes 0	0	MM DL
Edge	DRE	Election Day	47329	Referendum L	No 0	0	MM DL
Edge	DRE	Election Day	47308	Amendment 52	No 0	0	MM DL
Edge	DRE	Election Day	47217	Amendment 59	No 0	0	MM DL
Edge	DRE	Election Day	47217	Amendment 59	Yes 0	0	MM DL
Edge	DRE	Election Day	47250	Amendment 58	Yes 0	0	MM DL
Edge	DRE	Election Day	47250	Amendment 58	No 0	0	MM DL
Edge	DRE	Election Day	47043	Amendment 54	No 2	2	MM DL
Edge	DRE	Election Day	47250	County Judge, Denver - Ortiz-White	Yes 0	0	MM DL
Edge	DRE	Election Day	47252	Referendum M	Yes 0	0	MM DL



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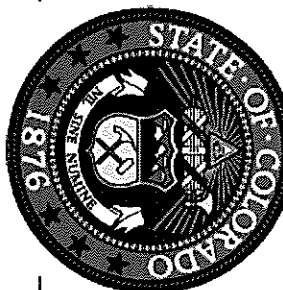
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Edge	DRE	Election Day	47014	District Judge - 2nd Judicial District - Egelhoff	No	0	0	MMW JL
Edge	DRE	Election Day	47217	District Judge - 2nd Judicial District - McGahey Jr	Yes	0	0	MMW JL
Edge	DRE	Election Day	47250	District Judge - 2nd Judicial District - Mansfield	No	0	0	MMW JL
Edge	DRE	Election Day	47250	District Judge - 2nd Judicial District - Mansfield	Yes	0	0	MMW JL
Edge	DRE	Election Day	47043	District Judge - 2nd Judicial District - Madden IV	No	1	1	MMW JL
Edge	DRE	Election Day	47043	District Judge - 2nd Judicial District - Madden IV	Yes	2	2	MMW JL
Edge	DRE	Election Day	47217	County Judge, Denver - Rudolph	Yes	0	0	MMW JL
Edge	DRE	Election Day	47308	District Judge - 2nd Judicial District - Hyatt	No	0	0	MMW JL
Edge	DRE	Election Day	47329	District Judge - 2nd Judicial District - Naves	No	0	0	MMW JL
Edge	DRE	Election Day	47014	District Judge - 2nd Judicial District - Egelhoff	Yes	1	1	MMW JL
Edge	DRE	Election Day	47236	Court of Appeals - Terry	No	0	0	MMW JL
Edge	DRE	Election Day	47236	Court of Appeals - Terry	Yes	0	0	MMW JL
Edge	DRE	Election Day	47039	Court of Appeals - Roman	No	0	0	MMW JL
Edge	DRE	Election Day	47039	Court of Appeals - Roman	Yes	1	1	MMW JL

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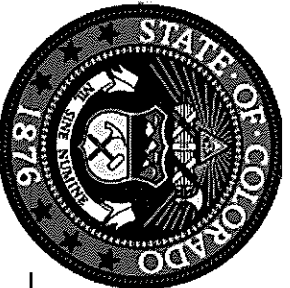
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Make/Model	Type	Use:	Serial #	Race Name to Audit:		Machine Count:	Manual/Hand Count:	Canvass Board Initials
Optech 400C	OS	Central Count	200205	Denver Public Schools (School District No.1) - Referred Issue 3A	Yes	69	69	(JMM) JL
Edge	DRE	Election Day	47308	District Judge - 2nd Judicial District - Hyatt	Yes	0	0	(JMM) JL
Edge	DRE	Election Day	47039	County Judge, Denver - Burd	No	0	0	(JMM) JL
Edge	DRE	Election Day	47043	County Judge, Denver - Marcucci	No	1	1	(JMM) JL
Edge	DRE	Election Day	47043	County Judge, Denver - Marcucci	Yes	2	2	(JMM) JL
Edge	DRE	Election Day	47308	County Judge, Denver - Jordan	Yes	0	0	(JMM) JL
Edge	DRE	Election Day	47308	County Judge, Denver - Jordan	No	0	0	(JMM) JL
Edge	DRE	Election Day	47014	County Judge, Denver - Harrel	No	0	0	(JMM) JL
Edge	DRE	Election Day	47014	County Judge, Denver - Harrel	Yes	1	1	(JMM) JL
Edge	DRE	Election Day	47217	District Judge - 2nd Judicial District - McGahey Jr	No	0	0	(JMM) JL
Edge	DRE	Election Day	47236	County Judge, Denver - Crew Jr	Yes	0	0	(JMM) JL
Edge	DRE	Election Day	47329	District Judge - 2nd Judicial District - Naves	Yes	0	0	(JMM) JL
Edge	DRE	Election Day	47039	County Judge, Denver - Burd	Yes	2	2	(JMM) JL
Edge	DRE	Election Day	47231	County Judge, Denver - Armatas	No	2	2	(JMM) JL

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Edge	DRE	Election Day	47231	County Judge, Denver - Armatas	Yes	3	3	WMS HC
Edge	DRE	Election Day	47252	District Judge - 2nd Judicial District - Rappaport	No	0	0	WMS HC
Edge	DRE	Election Day	47252	District Judge - 2nd Judicial District - Rappaport	Yes	0	0	WMS HC
Optech 400C	OS	Central Count	200205	Court of Appeals - Jones	Yes	102	102	WMS HC
Edge	DRE	Election Day	47236	County Judge, Denver - Crew Jr	No	0	0	WMS HC

\*\* END OF AUDIT LIST \*\*

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NOTE: In addition to completing the post-election audit report, pursuant to C.R.S. Section 1-7-514(1)(c), the canvass board shall also report a description of the audit process used, including any initial, interim and final results of the completed audit. Please use the attached page to complete this process.

Please complete the highlighted fields in the attached table and fax, or e-mail the form back to the Secretary of State to either (303) 869-4861, or voting.systems@sos.state.co.us. This form must be returned no later than: 5:00pm November 21, 2008.

By our signatures below, we indicate the completion of the Post Election Audit with notes as indicated on this form:

Designated Election Official:

Signature: Michael Haggard Date: 11/21/08

Canvass Board Members:

Signature: David Metzger Date: 11/21/08

Signature: James W. Coats Date: 11/21/08

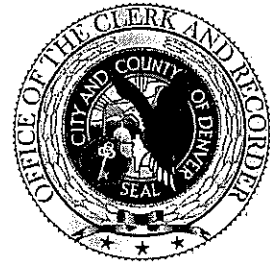
Provide additional pages and names as necessary.

Written Name

Written Name

OFFICE OF THE CLERK AND RECORDER  
ELECTIONS DIVISION

Michael J. Scarpello, Director



Stephanie Y. O'Malley  
Clerk and Recorder  
Public Trustee

**RE: POST-ELECTION AUDIT DISCOVERY REPORT: MACHINE AUDIT**

**Identified Problem:**

The Denver Elections Division, while conducting its post election audit on the machine called "Mammoth," as requested by the SOS, has discovered some tabulation errors on its ballot sample of 496 total cards. The sample was divided into four sections, A, B, C, and D:

Total Tabulation		
Section	Errors	Cards
A	0	154
B	4	92
C	8	84
D	7	166
Total	19	496

**Total % discrepancy: 3.83%**

These errors were discovered when comparing the ballot hand tally to the ETP machine tally. The nature of these errors was not such that a vote was switched from one candidate to another, but always from an "under-vote" to a candidate.

Following the discovery of the error, the same ballots were run on the machine called "Rockies." This machine reported correct tabulations when compared to the hand tallies. Once the errors were isolated to "Mammoth," further trials were again run with smaller batches on this machine.

In order to see how frequently the errors were occurring on the trial runs, the same race was tested on a smaller batch of ballots, and the results are listed below:

District Attorney Judicial 2 <sup>nd</sup> District				
	Hand			
	Tally	Trial #1	Trial #2	Trial #3
Mitch Morrissey:	5	6	5	5
Under-votes:	5	4	5	5

During the course of these runs, all present were convinced that there was a problem with "Mammoth" after hand tallies were re-run several times. It was also determined that the errors always occurred on the races in the middle column, located on the front Card A.

**Solution:**

From the information provided above, the operations department, in accordance to the request of the SOS, recounted all ballots that were run on machine Mammoth during the course of the election. The procedure to accomplish this task was carried out as follows:

*Zeroing Mammoth Counts:* All batches that were run on Mammoth during the course of the election were physically isolated and accounted for. With these batch numbers, we zeroed all corresponding batch logs from WinETP. All tally type sets were checked several times to ensure that all ballot counts from Mammoth were zeroed from the WinETP logs. This action was carried out on 11/17/08.

*Recounting Mammoth Batches:* The machine called Nuggets was selected to recount the ballots, which had been zeroed from the Mammoth machine logs. These batches were separated into the appropriate tally types and recounted on Nuggets. Each of the boxes to be recounted was assigned new batch numbers according to their tally type on the WinETP logs and hand-written logs for machine Nuggets. This action was carried out on 11/18/08.

**Conclusion:**

The recount of Mammoth boxes on machine Nuggets occurred without problems. From preliminary ballot count data from the recount, we show that Mail-in tally type numbers were the only notable discrepancy. According to our accounts, machine Mammoth counted 11,510 mail-in ballots. However, when the tallies from the re-count were placed into WinETP, the number of ballots tallied showed only 11,150 mail-in ballots. Such a discrepancy may have been caused due to a large number of outstacks, causing the machine operators to run ballots several times in order for them to be scanned properly. In addition, the malfunctioning device may have contributed to the error in total ballots scanned and counted.

## Brett McEntire

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**From:** Stephanie Cegielski  
**Sent:** Tuesday, November 25, 2008 3:02 PM  
**To:** Brett McEntire  
**Subject:** FW: Audit

**From:** Casper, Paul [mailto:Paul.Casper@denvergov.org]  
**Sent:** Tuesday, November 25, 2008 2:52 PM  
**To:** Stephanie Cegielski  
**Cc:** McReynolds, Amber Faye - Elections Division  
**Subject:** Audit

Stephanie,

Correction to my previous email; contest on machine 47058 was for State Representative 3, not 2

Machine # 47058

State Representative District 3	Machine Count	Manual Count
McGihon	0	0
Linton	1	1

Thank You,

Paul

Paul Casper

Elections Division Logistics

Denver Clerk and Recorder

720-865-4960

## Brett McEntire

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**From:** Stephanie Cegielski  
**Sent:** Tuesday, November 25, 2008 1:45 PM  
**To:** Brett McEntire  
**Subject:** FW:

**From:** Casper, Paul [mailto:Paul.Casper@denvergov.org]  
**Sent:** Tuesday, November 25, 2008 1:43 PM  
**To:** Stephanie Cegielski  
**Cc:** McReynolds, Amber Faye - Elections Division  
**Subject:**

Stephanie,

We audited two other DRE touch screens with the indicated contests on them:

### Machine # 47054

State Representative District 2	Machine Count	Manual Count
Ferrandino	0	0
Miller	1	1

### Machine # 47058

State Representative District 2	Machine Count	Manual Count
McGihon	0	0
Linton	1	1

This should fulfill Section 1-7-514, C.R.S.

Thank You,

Paul

Paul Casper

Elections Division Logistics

Denver Clerk and Recorder

720-865-4960